

WHITEMAN
OSTERMAN
& HANNA^{LLP}

Attorneys at Law
www.woh.com

Invoice No: 367948
Invoice Date: 6/27/2012
Client # 105536

One Commerce Plaza
Albany, New York 12260
518-487-7600 phone
518-487-7776 fax

**Payment is due upon
receipt**

OTR 296A, LLC
Ari Noe
OTR Media
124 Wall Street
32nd Floor
New York, New York 10005

INVOICE SUMMARY

CURRENT CHARGES FOR MATTER:

105536-001 838 6th Avenue, New York, NY (Article 78 relating to ECB Hearing)

Fees for Legal Services	\$	2,445.50	
Expenses and Other Charges	\$	0.00	
TOTAL CHARGES THIS INVOICE	\$		2,445.50
TOTAL CHARGES PAST DUE	\$		0.00
TOTAL CHARGES DUE	\$		2,445.50

TOTAL CHARGES DUE UPON RECEIPT

*
WIRE TRANSFER FUNDS TO:
KEYBANK, NA
ROUTING # 021 300 077
DEPOSITORY ACCOUNT # 325900033615
S.W.I.F.T. BIC: KEYBUS33

Remittance Stub

PLEASE MAIL PAYMENT TO:

Whiteman Osterman & Hanna LLP
One Commerce Plaza
Albany, NY 12260

Matter ID: 105536-001

Credit Card Type:

Please Circle: MC - VISA - DISCOVER - AMEX

Account Number: _____ - _____ - _____ - _____

Expiration Date: ____/____/____ CCV Number (Back of Card) _____

Name As Appears on Card: _____

Total Amount Paid: \$ _____

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Matter ID: 105536-001
Page: 2

OTR 296A, LLC
Ari Noe
OTR Media
124 Wall Street
32nd Floor
New York, New York 10005

For professional services rendered through May 31, 2012

4/20/2012	Examined newly discovered evidence; C. Buckey	0.40	118.00
4/23/2012	Strategy session with R. Rosborough regarding potential Article 78 proceeding; Analyzed potential additional evidence; C. Buckey	2.00	590.00
4/23/2012	Research theory under which to bring Article 78 challenging denial of non-conforming use status; Review and detail facts and proof needed to establish prior non-conforming use; R. Rosborough	1.00	175.00
4/24/2012	Telephone conference with A. Noe regarding strategy; C. Buckey	0.40	118.00
4/25/2012	Examined BSA decision and documents relating to 868 6th Avenue; Strategy call with Ari Noe; C. Buckey	3.20	944.00
4/26/2012	Telephone conference with Lindsay Garroway regarding 4/27/12 hearing and strategy ; Telephone conference with Ari Noe regarding strategy; Attended to OATH challenge; C. Buckey	1.00	295.00
4/26/2012	Research exceptions to failure to exhaust administrative remedies doctrine; R. Rosborough	0.50	87.50
4/27/2012	Strategy Session regarding potential litigation without new administrative determination; C. Buckey	0.40	118.00
Sub-Total Fees:			2,445.50

Summary of Fees

	Hours	Rate/Hr
Christopher E. Buckey	7.40	295.00
Robert Rosborough	1.50	175.00

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Invoice #: 367948
Invoice Date: 6/27/2012
Matter ID: 105536-001
Page: 3

Total hours: 8.90 274.78

Total Fees Due for this Matter:	\$	2,445.50
Total Fees and Costs Due: \$		2,445.50
Total Charges Past Due: \$	<u></u>	<u>0.00</u>
Total Charges Due: \$		<u>2,445.50</u>

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One Commerce Plaza
Albany, New York 12260
518-487-7600 phone
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Invoice No: 373832
Invoice Date: 12/19/2012
Client # 105536

**Payment is due upon
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OTR Media Group, Inc.
Ari Noe
424 West 33rd Street
#530
New York, New York 10001

INVOICE SUMMARY

CURRENT CHARGES FOR MATTER:

105536-002 538 10th Avenue, City of New York (Challenge of NYC Environmental

Fees for Legal Services	\$	1,888.00	
Expenses and Other Charges	\$	0.00	
TOTAL CHARGES THIS INVOICE	\$		1,888.00
TOTAL CHARGES PAST DUE	\$		0.00
TOTAL CHARGES DUE	\$		1,888.00

TOTAL CHARGES DUE UPON RECEIPT

WIRE TRANSFER FUNDS TO:
KEYBANK, NA
ROUTING # 021 300 077
DEPOSITORY ACCOUNT # 325900033615
S.W.I.F.T. BIC: KEYBUS33

Remittance Stub

PLEASE MAIL PAYMENT TO:

Whiteman Osterman & Hanna LLP
One Commerce Plaza
Albany, NY 12260

Matter ID: 105536-002

Credit Card Type:

Please Circle: MC - VISA - DISCOVER - AMEX

Account Number: _____ - _____ - _____ - _____

Expiration Date: ____/____/____ CCV Number (Back of Card) _____

Name As Appears on Card: _____

Total Amount Paid: \$ _____

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& HANNA LLP

Attorneys at Law
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One Commerce Plaza
Albany, New York 12260
518-487-7600 phone
518-487-7776 fax

Invoice #: 373832
Invoice Date: 12/19/2012
Matter ID: 105536-002
Page: 2

OTR Media Group, Inc.
Ari Noe
424 West 33rd Street
#530
New York, New York 10001

For professional services rendered through December 19, 2012

4/18/2012	Meeting with A. Noe regarding appeal from ECB matter and Article 78 strategy; C. Buckey	0.50	147.50
4/19/2012	Attended to analysis of potential Article 78 proceeding; C. Buckey	0.40	118.00
4/26/2012	Examined Covenant House papers; C. Buckey	1.00	295.00
4/27/2012	Attended to potential Article 78 relating to Covenant House; C. Buckey	0.40	118.00
5/8/2012	Telephone conference with A. Noe; C. Buckey	0.30	88.50
5/10/2012	Examined record; Outlined potential Article 78 challenge; Strategy sessions with R. Rosborough; C. Buckey	3.00	885.00
5/11/2012	Attended to Article 78 analysis; C. Buckey	0.50	147.50
5/18/2012	E-mails with A. Noe; C. Buckey	0.30	88.50
Sub-Total Fees:			1,888.00

Summary of Fees

	Hours	Rate/Hr
Christopher E. Buckey	6.40	295.00
Total hours:	6.40	295.00

Total Fees Due for this Matter: \$ **1,888.00**

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Invoice #: 373832
Invoice Date: 12/19/2012
Matter ID: 105536-002
Page: 3

Total Fees and Costs Due: \$	1,888.00
Total Charges Past Due: \$	0.00
Total Charges Due: \$	1,888.00

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Yung Brothers Real Estate Co., Inc.
Ari Noe
1926 52nd Street
Brooklyn, New York 11204

Invoice No. 365265
4/13/2012
Client # 105458

**Payment is due upon
receipt**

INVOICE SUMMARY

CURRENT CHARGES FOR MATTER:

105458-001 Limandri and NYC (Motion for Leave to Appeal to the Court of Appeals)

Fees for Legal Services	\$	12,459.00	
Expenses and Other Charges		260.53	
TOTAL CHARGES THIS INVOICE	\$		12,719.53
TOTAL CHARGES PAST DUE	\$		0.00
TOTAL CHARGES DUE	\$		12,719.53

TOTAL CHARGES DUE UPON RECEIPT

PLEASE MAIL PAYMENT TO:
WHITEMAN OSTERMAN & HANNA LLP
ONE COMMERCE PLAZA
ALBANY, NY 12260

OR WIRE TRANSFER FUNDS TO:
KEYBANK, NA
ROUTING # 021 300 077
DEPOSITORY ACCOUNT # 325900033615
S.W.I.F.T. BIC: KEYBUS33

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& HANNA LLP

Attorneys at Law
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One Commerce Plaza
Albany, New York 12260
518-487-7600 phone
518-487-7776 fax

April 13, 2012
Invoice 365265
Page: 2

Yung Brothers Real Estate Co., Inc.
Ari Noe
1926 52nd Street
Brooklyn, New York 11204

Our Matter # 105458-001
Limandri and NYC (Motion for Leave to Appeal to the Court of Appeals)

For professional services rendered through March 31, 2012

3/13/2012	Examined decisions; Telephone conference with A. Noe; C. Buckey	1.00	295.00
3/14/2012	Telephone conference with A. Noe (x2); Coordinated leave application and stay application; C. Buckey	1.50	442.50
3/14/2012	Review 1st Department decision; Research whether stay issued by Supreme Court is still in effect; Review record on appeal; Review appellate briefs; Draft motion for leave to appeal to the Court of Appeals; R. Rosborough	4.90	857.50
3/15/2012	Review record on appeal; Draft motion for leave to appeal; R. Rosborough	4.40	770.00
3/16/2012	Attended to leave application; Telephone conference with A. Noe; C. Buckey	2.00	590.00
3/16/2012	Draft motion for leave to appeal; Draft notice of motion for leave to appeal; R. Rosborough	6.60	1,155.00
3/17/2012	Attended to Motion for Leave; C. Buckey	1.20	354.00
3/17/2012	Review and revise motion for leave to appeal; R. Rosborough	1.20	210.00
3/18/2012	Modified motion for leave; Telephone conference with A. Noe; C. Buckey	3.00	885.00
3/18/2012	Review and revise motion for leave to appeal;		

	R. Rosborough	2.80	490.00
3/19/2012	Attended to leave application; Telephone conference with Howard Crystal and A. Noe regarding strategy; Strategy session with R. Rosborough;		
	C. Buckey	2.00	590.00
3/19/2012	Telephone conference with R. Sternberg re service of notice of entry; Prepare motion for leave to appeal for filing/service; Draft Court of Appeals filing letter; Draft cover for motion for leave to appeal; Review H. Crystal comments on motion for leave to appeal;		
	R. Rosborough	1.10	192.50
3/20/2012	Modified leave application and stay request;		
	C. Buckey	4.00	1,180.00
3/20/2012	Review and revise motion for leave to appeal;		
	R. Rosborough	1.70	297.50
3/21/2012	Attended to leave application and stay request;		
	C. Buckey	3.00	885.00
3/21/2012	Review and revise motion for leave to appeal; Review Court of Appeals rules re application for a temporary restraining order;		
	R. Rosborough	0.80	140.00
3/22/2012	Attended to stay application; Modified motion papers;		
	C. Buckey	2.50	737.50
3/22/2012	Draft and revise order to show cause; Draft and revise statement in support of stay of Appellate Division order; Review and revise motion for leave to appeal; Telephone conference with H. Davis re presentation of order to show cause; Draft 202.7(f) letter to R. Sternberg re presentation of order to show cause; E-mail to R. Sternberg re presentation of order to show cause; Prepare proposed order to show cause and motion for leave to appeal for service/filing;		
	R. Rosborough	3.40	595.00
3/23/2012	Attended to filing and service of leave application and request for immediate stay; Examined City's response;		
	C. Buckey	3.50	1,032.50
3/23/2012	Assist re filing and service of order to show cause re motion for leave to appeal;		
	J. Kroll	0.50	55.00
3/23/2012	Prepare motion for leave to appeal for filing/service; Telephone conference with H. Crystal's office re signed copy of Appellate Division brief; Telephone conference with R. Sternberg re accepting E-mail service of letter to Court of Appeals in opposition to stay; Review R. Sternberg letter to Court of Appeals in opposition to stay;		
	R. Rosborough	1.50	262.50
3/27/2012	Telephone conference with Court; E-mail to client; Telephone conference with A. Noe;		
	C. Buckey	0.50	147.50
3/28/2012	Prepared summary of motion for admin. attorney;		
	C. Buckey	1.00	295.00
	Sub-total Fees:		12,459.00

Summary of Fees

	Hours	Rate/Hr
Christopher E. Buckey	25.20	295.00
Jeanne Kroll	0.50	110.00
Robert Rosborough	28.40	175.00
Total hours:	<u>54.10</u>	<u>230.30</u>

Total Fees Due for this Matter \$ **12,459.00**

Reimbursable Costs

	Photocopy Charges	116.80
3/19/2012	CONSTRUCTIVE COPY, LLC - Copies	98.73
3/21/2012	CLERK OF COURT OF APPEALS - Motion Fee	45.00
Total Reimbursable Costs		\$ <u>260.53</u>

Total Fees and Costs Due \$ **12,719.53**

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518-487-7600 phone
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Yung Brothers Real Estate Co., Inc.
Ari Noe
1926 52nd Street
Brooklyn, New York 11204

Invoice No. 366924
5/25/2012
Client # 105458

**Payment is due upon
receipt**

INVOICE SUMMARY

CURRENT CHARGES FOR MATTER:

105458-001 Limandri and NYC (Motion for Leave to Appeal to the Court of Appeals)

Fees for Legal Services	\$	1,298.00	
Expenses and Other Charges	\$	11.35	
TOTAL CHARGES THIS INVOICE			\$ 1,309.35
TOTAL CHARGES PAST DUE			\$ 12,719.53
TOTAL CHARGES DUE			\$ 14,028.88

WIRE TRANSFER FUNDS TO:
KEYBANK, NA
ROUTING # 021 300 077
DEPOSITORY ACCOUNT # 325900033615
S.W.I.F.T. BIC: KEYBUS33

Remittance Stub

Remit to: Whiteman Osterman & Hanna LLP
One Commerce Plaza
Albany, NY 12260

Matter ID: 105458-001

Credit Card Type:

Please Circle: MC - VISA - DISCOVER - AMEX

Account Number: _____

Expiration Date: ____/____/____ CCV Number (Back of Card) ____

Name As Appears on Card: _____

Total Amount Paid: \$ _____

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One Commerce Plaza
Albany, New York 12260
518-487-7600 phone
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May 25, 2012
Invoice 366924
Page: 2

Yung Brothers Real Estate Co., Inc.
Ari Noe
1926 52nd Street
Brooklyn, New York 11204

Our Matter # 105458-001
Limandri and NYC (Motion for Leave to Appeal to the Court of Appeals)

For professional services rendered through April 30, 2012

4/10/2012	Examined City's reply papers and E-mail to A. Noe regarding same; C. Buckey	1.50	442.50
4/11/2012	E-mail correspondence with A. Noe regarding strategy; C. Buckey	0.40	118.00
4/18/2012	Prepared for and participated in meeting with A. Noe regarding additional litigation for stay of ECB proceedings; C. Buckey	1.50	442.50
4/19/2012	Summary of questions presented; E-mail to A. Noe; C. Buckey	1.00	295.00
	Sub-total Fees:		1,298.00

Summary of Fees

	Hours	Rate/Hr
Christopher E. Buckey	4.40	295.00
Total hours:	4.40	295.00

Total Fees Due for this Matter \$ 1,298.00

Reimbursable Costs

Express Mail 11.35

Total Reimbursable Costs

\$ 11.35

Total Fees and Costs Due

\$ 1,309.35

Total Charges Past Due

\$ 12,719.53

Total Charges Due

\$ 14,028.88

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Albany, New York 12260
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Yung Brothers Real Estate Co., Inc.
Ari Noe
1926 52nd Street
Brooklyn, New York 11204

Invoice No: 370617
Invoice Date: 09/20/2012
Client # 105458

**Payment is due upon
receipt**

INVOICE SUMMARY

CURRENT CHARGES FOR MATTER:

105458-001 Limandri and NYC (Motion for Leave to Appeal to the Court of Appeals)

Fees for Legal Services	\$	118.00	
Expenses and Other Charges	\$	2.60	
TOTAL CHARGES THIS INVOICE			\$ 120.60
TOTAL CHARGES PAST DUE			\$ 14,028.88
TOTAL CHARGES DUE			\$ 14,149.48

TOTAL CHARGES DUE UPON RECEIPT

WIRE TRANSFER FUNDS TO:
KEYBANK, NA
ROUTING # 021 300 077
DEPOSITORY ACCOUNT # 325900033615
S.W.I.F.T. BIC: KEYBUS33

Remittance Stub

PLEASE MAIL PAYMENT TO:

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One Commerce Plaza
Albany, NY 12260

Matter ID: 105458-001

Credit Card Type:

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Name As Appears on Card: _____

Total Amount Paid: \$ _____

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Albany, New York 12260
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Invoice #: 370617
Invoice Date: 09/20/2012
Matter ID: 105458-001
Page: 2

Yung Brothers Real Estate Co., Inc.
Ari Noe
1926 52nd Street
Brooklyn, New York 11204

For professional services rendered through August 31, 2012

08/03/2012	Examined decisions from administrative proceedings;		
	C. Buckey	0.40	118.00
		Sub-Total Fees:	118.00

Summary of Fees

	<u>Hours</u>	<u>Rate/Hr</u>
Christopher E. Buckey	0.40	295.00
Total hours:	0.40	295.00

Total Fees Due for this Matter: \$ 118.00

Reimbursable Costs

Photocopy Charges	2.60
Total Reimbursable Costs	\$ 2.60

Total Fees and Costs Due: \$ 120.60

Total Charges Past Due: \$ 14,028.88

Total Charges Due: \$ 14,149.48